

## University of Oklahoma College of Law University of Oklahoma College of Law Digital Commons

---

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

---

5-24-1890

# Winemah Riddell

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

---

### Recommended Citation

H.R. Rep. No. 2147, 51st Cong., 1st Sess. (1890)

This House Report is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact [darinfox@ou.edu](mailto:darinfox@ou.edu).

WINEMAH RIDDELL.

---

MAY 24, 1890.—Committed to the Committee of the Whole House and ordered to be printed.

---

Mr. DE LANO, from the Committee on Pensions, submitted the following

REPORT:

[To accompany H. R. 1890.]

The Committee on Pensions, to whom was referred the bill (H. R. 1890) granting a pension to Winemah Riddell, have considered the same, and report:

A similar bill was reported to the House by your committee at the first session of the Fiftieth Congress. The number of the report is 1413, and your committee adopt as their report so much of the same as is applicable to this bill, and return the bill to the House, with the recommendation that it do pass.

## House Report No. 1413, Fiftieth Congress, first session.

## WINEMAH RIDDELL.

---

MARCH 27, 1888.—Committed to the Committee of the Whole House and ordered to be printed.

---

Mr. FINLEY, from the Committee on Pensions, submitted the following

## REPORT:

[To accompany bill H. R. 2804.]

*The Committee on Pensions, to whom was referred the bill (H. R. 2804) to pension Winemah Riddell, having considered the same, report as follows:*

The report of Hon. A. B. Meacham, chairman special commission to the Modocs, upon the late Modoc war, and contained in the report of the Commissioner of Indian Affairs for the year 1873, shows that the objects to be attained by the Modoc Peace Commission were—

first, to ascertain the causes which have led to the difficulties and hostilities between the United States troops and the Modocs; and, secondly, to devise the most effective and judicious measures for preventing the continuance of these hostilities and for the restoration of peace.

Messengers were employed to visit the Modocs and arrange for a meeting: First, Bob Whittle and wife, Matilda (an Indian woman), were sent February 19 with instructions to announce to them the presence of and desire of the Commission to arrange for a council meeting with the view of adjusting the difficulties that existed, and to prevent a re-opening of hostilities; also to ascertain with whom the Modocs would prefer to arrange the contemplated council.

Whittle and wife returned on the 20th, and reported the Modocs willing and anxious to "meet Riddell and Fairchilds to conclude details" for the proposed meeting. Fairchilds was intrusted with the message, and accompanied by Riddell and Artina (a Modoc woman), visited the Modoc camp, a distance of 20 miles from headquarters, with a "message to Modocs," as follows: "Fairchilds will talk for the commission; what he agrees to we will stand by. He can not tell you any terms, but will fix a time and place for a council talk, and that no act of war will be allowed while peace talks are being had, no movements of troops will be made. We come in good faith to make peace. Our hearts are all for peace." This message was signed by Meacham, Applegate, and Case, with the approval of General Canby.

Fairchilds and party returned on the 23d, and reported the Modocs as willing and anxious for peace, but had not arranged for a meeting, because they were "unwilling to come out of the lava-beds."

This proposition was not agreed to, but a request for Judge Steele, of Yreka, to visit them was made, and in compliance he was sent for, with the hope on our part that, from his intimate acquaintance with these people, he might secure the meeting. Judge Steele arrived at headquarters of commission on the 4th of March, and the board of commissioners were called together, now consisting of Applegate, Case, Meacham, and Judge Roseborough, who had been added at the request of General Canby. Steele, being present, accepted the mission as messenger to arrange for the meeting of commission and the Modocs, but unwisely was authorized to offer terms of peace, which was "a general amnesty to all Modocs on condition of their full and complete surrender and consent to remove to a distant reservation within the limits of Oregon or California."

He was further instructed to say to them that "General Canby would make peace and conclude terms."

On the 5th of March, in company with Riddell and Toby, Fairchilds, and R. H. Atwell as reporter, Judge Steele visited the Modoc camp.

Failing to secure a meeting of the commission and Modocs, made then, under instruction, the proposition above referred to, also stating that General Canby was authorized to conclude the arrangement for the surrender and removal. The propositions were not well understood, and created some discussion among the Modocs.

Captain Jack, speaking for the people, accepted the terms offered, though protests and evidences of dissatisfaction were evidently made. Steele had not, however, seemed to have been aware of this fact, for on his return to headquarters he reported that "peace was made; they accept." A general feeling of relief followed, couriers were summoned to bear dispatches, when Fairchilds, who had been with Steele, declared that "there was some mistake, the Modocs have not agreed to surrender and removal." The Modoc messengers who had accompanied Steele and party to headquarters were questioned, when it was discovered that some misunderstanding existed. Steele, however, confident that he was correct, proposed to return to the Modoc camp and settle the matter beyond question. On Steele's second visit Fairchilds declined going, fearing, as he said, "that the Modocs would feel outraged by Steele's report." Atwell again accompanied Steele, who, on arrival, or soon thereafter, discovered that a great mistake had been made in reporting the first visit. The demonstrations were almost of hostile character. He was accused of reporting them falsely and working against their interests. His long acquaintance with Captain Jack and Scar-Faced Charlie, and consequent friendship, saved him and party from assassination; these two men, and one or two others, standing guard over him throughout the night. The following morning he averted the peril by proposing to return and bring the commission with him, and on this promise he was allowed to depart. On his return to headquarters he made a full report of the visit, stating the facts above referred to, and warning the commission of the danger of meeting the Modocs, except on equal terms and on neutral ground, and expressing the opinion "that no meeting could be had, no peace could be made."

The substance of these reports and conclusions were forwarded to the honorable Secretary of the Interior, who replied as follows:

"WASHINGTON, D. C., March 5, 1873.

"I do not believe the Modocs mean treachery. The mission should not be a failure. I think I understand their unwillingness to confide in you. Continue negotiations. Will consult the President, and have the War Department confer with General Canby to-morrow.

"C. DELANO.

"To A. B. Meacham, Fairchilds' Ranch, via Yreka, Cal."

On the day following Steele's return from the second visit a delegation of Indians from the Modoc camp arrived. Mary (sister of Captain Jack), acting as messenger, proposed that, if General Canby would send wagons to meet them, the Modocs would all come out and surrender on the terms proposed by Steele on the first visit. General Canby, then acting under the authority of the vote of the commissioners transferring the whole matter to his care, accepted the proposition and named a day on which the final surrender should be consummated. However, before the time appointed, messengers arrived from the lava beds, asking for further time to arrange for leaving camp, alleging that they were then burying their dead and could not come at the time appointed, but would comply at a subsequent period.

General Canby appointed another day, and assured the messengers that unless they were faithful to the compact he would take steps to compel compliance.

The day before the appointed time, Toby Riddell informed General Canby of intended treachery on the part of the Modocs, saying "no Modocs come; may be come to steal teams; they no give up." Her warning was not accredited.

The wagons were sent. Applegate, sanguine of the surrender, resigned and returned to his home, believing that "peace was made." Mr. Case, who had been relieved at his own request, had also left headquarters. Messengers had been sent to the Department at Washington announcing the anticipated result, and the whole country was rejoicing, when, late on the evening of the appointed day, the wagons sent out by General Canby returned without the Indians. All of which was made known to the Department. Further negotiations seemed to be hopeless; nevertheless, knowing the anxiety for a peaceable solution of the troubles, we continued to seek a meeting. Instructions were received from headquarters from the honorable Secretary of the Interior, "to continue negotiations," and further continuing the commission, General Canby moved headquarters to "Van Bremens," and with him the commission moved. Soon after Doctor Thomas was added to the commission, also, L. S. Dyer, United States Indian agent, of Klamath. Meanwhile a herd of Indian horses had been captured by Major Biddle, notwithstanding the commission had informed the Modocs, through messengers, that no act of war would be permitted. Failing to arrange on satisfactory terms for a council meeting, the commission was notified by General Canby of the intended movement of troops nearer the Modoc camp. The movement was made and headquarters

again changed, this time to the foot of the bluff, and within 2 miles of the Modoc stronghold. On the 2d of April the commission, including General Canby, met the Modocs for the first time, about midway between the Modoc camp and headquarters. No conclusions were arrived at, a severe storm coming up compelling adjournment, not, however, until an agreement had been made for the erection of a council-tent.

Riddell and his wife, Toby, expressed the opinion, on our return to camp, that treachery was intended; but the warning was not respected. On the 4th of April a request was made by Captain Jack for me to meet him and a few men at the council-tent. After a consultation with the board I went, accompanied by Judge Roseborough and J. A. Fairchild, Riddell and his wife, Toby, as interpreters.

The Modoc chief was accompanied by six warriors and the women of his own family. He (Jack) remarked that he felt afraid in presence of General Canby and Doctor Thomas, saying "but now I can talk." He reviewed the whole question from the beginning, mentioning the Ben Wright treachery; the insults of the Klamath Indians while his people were on the reservation; the failure of Captain Knapp, acting agent of Klamath, to protect him, and his several removals while there, but made no complaint of want of subsistence; denied ever killing horses for food, but insisting that Agent Knapp "had no heart for him;" complained that Superintendent Odeneal had not visited him, and that Odeneal's messengers had promised to come again before bringing soldiers; that Major Jackson had attacked him before he was up in the morning of November 29, 1872; complained also of the citizens taking part in the battle at that time, declaring that had "no citizens been in the fight, no Indian women and children would have been killed, no citizens would have been murdered;" saying his young men had done a great wrong while in hot blood, but that he could not control them any more than bad white men were controlled by American law; and feeling that he could never live in peace with the Klamaths, but wanted a home, "just the same as a white man on Lost River, the soldiers taken away and the war would stop."

On being assured that, since blood had been spilled on Lost River, he could never have it in peace, unless the Lost River murderers were given up for trial, he abandoned the request so far as his old home was concerned, saying, "I give up home; give me this lava-bed; no white man will ever want it." Again assured that no peace could be made or soldiers removed while his people remained in the lava-bed, but was informed that a new home would be given him, and provision made for clothing and subsistence. He was unwilling to surrender his men who killed the citizens, saying that the "governor of Oregon had demanded their blood, and that the law of Jackson County would kill them;" remarking that the "law was all on one side, was made by the white man, for white men, leaving the Indian all out," finally, declaring that he could not control his people, and that he would die with them if no peace was made.

No terms were agreed to or further meetings arranged for at that time.

On the day following Toby Riddell was sent with a proposition to Captain Jack to surrender with such others as might elect to do so. He declined the terms. On her return the messenger was warned of the intended treachery, which she reported to the commissioners and General Canby. This warning was not treated with the respect due the informer. Dr. Thomas questioned a Modoc afterward as to the truth of the report, which being denied, and the name of the author demanded, he replied, "Toby Riddell." The same party, of whom Dr. Thomas had made inquiry, was informed by General Gillem "that unless peace was made very soon the troops would be moved up nearer the Modoc stronghold, and that one hundred Warm Spring Indians would be added to the Army within a few days." All of which was reported in the Modoc camp.

On the 8th of April a messenger visited the commission, asking for a "peace talk," saying that six unarmed Modocs were at the council tent in the lava-bed, anxious to make peace, and asking the commission to meet them.

The signal officer at the station overlooking the lava-beds reported the "six Indians, and also in the rocks behind them twenty other Indians, all armed." Treachery was evident, and no meeting was had; further negotiations appeared useless and unsafe.

On the morning of the 10th of April a delegation from the Modoc camp arrived with renewed propositions for a meeting. The terms proposed were that, if the commission, including General Canby and General Gillem, would come next day to the council-tent, *unarmed*, to meet a like number of *unarmed* Modocs, thus proving the confidence of the commission in the Modocs, "that they (the Modocs) would all come to headquarters and surrender on the day following." Dr. Thomas, who was then acting as (temporary) chairman, submitted the propositions to General Canby. After consultation, they decided to accept.

On the fatal morning of Friday, April 11, the commission held a meeting, and the propriety of keeping the appointment was discussed; Dr. Thomas insisting that it was a duty that must be performed; General Canby saying "that the importance of

the object in view justified taking some risk;" Commissioners Dyar and Meacham recounting the evidences of premeditated treachery, and giving opinions adverse to the meeting. The interpreter, Frank Riddell, appeared before the board, and repeated the warning given by "Toby," his wife, and saying further, "that if the meeting must be had, he wanted to be free from responsibility; that he had lived with 'Toby' for twelve years, and she had never deceived him; that if the commission went, it should be *armed*." However, General Canby and Dr. Thomas insisted that the compact should be kept, the general remarking that from the signal station a strict watch had been kept, and "only *five* Indians, unarmed, were at the council tent;" and further, that a "watch would be kept on the council tent, and in the event of an attack the Army would come to the rescue."

Without following further the report, the result of the appointment above referred to is more comprehensively stated in a lecture prepared by Colonel Meacham, and which he delivered in Park Street Church, Boston, Mass., on the 24th of May, 1874, the substance of which is as follows:

The preparations for keeping the appointment were being made when Winemah Riddell and her husband made a last protest against the fulfillment of the unwise compact. Dr. Thomas was unwilling to abandon the effort. Commissioner Dyar agreed with me (Colonel Meacham) that the meetings should not take place. General Canby maintained his views, and gave orders for a watch to be kept at the signal station; then, giving some private instructions to his secretary, he dressed in full uniform, without arms, and called for Dr. Thomas. Together they walked off, side by side, towards the peace tent, one mile away. Having failed to dissuade them from going, I had no honorable alternative but to follow. \* \* \*

I prepared to go, and caught the halter of my horse, intending to mount, when Winemah, unable to suppress her fears, snatched the halter, and winding it around her waist, threw herself upon the ground and cried most earnestly, "*Do not go, you will be kill*." The Modocs mad now. Meacham, you no go." Her entreaty moved me, and I relaxed my grasp of the halter, and calling to General Canby and Dr. Thomas, went to them and renewed my protest against going unarmed.

They were immovable. I then for the first and only time in my life made use of my fraternal relations to induce them to assent to a promise on my part, as chairman of the commission, to withdraw the army if we found satisfactory evidences of premeditated treachery. This proposition was emphatically rejected also.

Seeing no alternative, I returned to the commissioners' tent, handed my valuables to Mr. Fairchilds, and securing a promise from him that if my body should be badly mutilated it should be buried in the rocks of the Lava-beds and not sent to my family, I sought again to mount my horse, when Winemah caught me by the coat and endeavored to detain me.

Firmly refusing to remain in camp, I bade Winemah and her husband follow, and rode off to the council tent in the lava-beds, accompanied by Commissioner Dyar. Winemah parted with her boy, and with steady nerve mounted her horse and joined Mr. Dyar and myself. Mr. Riddell hastily arranged his business affairs, and also joined us on his danger-fraught ride.

General Canby and Dr. Thomas were the first of our party to arrive. They were greeted by the Indians with extreme cordiality, General Canby giving to each a cigar. Instead of five unarmed men, including Scar-face-Charley, as promised by Boston Charley in negotiating for the council, we found eight well-armed desperadoes, including the notorious cut-throats Hooker Jim and Black Jim. Captain Jack seemed anxious and ill at ease, and did not exhibit the friendship the others of his party pretended.

General Canby was calm and thoroughly self-possessed. Dr. Thomas did not appear to note any suspicious circumstances, but was endeavoring to impress the Indians with his good intentions. I made my election to abide by the consequences. I knew that the horse beneath me was one of the fleetest in the Modoc country, and notwithstanding the rocky trail could carry me out of danger with a few bounds, which he seemed more than willing to make at the slightest invitation, I made up my mind that Canby and Thomas should not be endangered by cowardly flight on my part.

Withdrawing my overcoat and hanging it upon the horn of the saddle I dismounted, dropping the rope-halter to the ground, leaving his horse free. Mr. Riddell secured Winemah's horse, and we all gathered round the council-fire.

Before the talk began I sat down facing the chief and opened the council by referring to the proposition made the day before by Boston Charley, and continued by saying that we were ready to complete the arrangement for peace. Captain Jack asked if we were willing to remove the soldiers from the lava-beds and give his people a home in the country. I felt that if his demand was met we could escape, and although General Canby had refused to allow me to make this promise, I thought that, con-



vinced as he must be of intended treachery, he would feel justified in assenting to the request. Cautiously turning to him I asked him to talk. After a moment's waiting he rose and stood erect. Every eye was upon him. All seemed to feel that if he assented to the withdrawal of the Army the trouble would be passed over. Whether General Canby realized the situation with all its fearful possibilities and would not swerve even then from his purpose, or if he still thought the Modocs had not the desperate courage to execute this plan, can never be known. If he said the soldiers can be removed, the phantom would pass as a dream. If he said they should not be withdrawn, the phantom must soon become a terrible reality. With dignity that was peculiar to that brave soldier, he firmly pronounced his own death-sentence as well as that of Dr. Thomas, by saying that the "*soldiers could not be withdrawn.*"

Again and again the Modoc chief repeated the demand for the removal of the soldiers. General Canby, having once refused, was mute. Turning to Dr. Thomas, who was sitting at my left, I asked him if he wished to talk. The doctor dropped forward on his knees, and made the last proclamation of peace. He assured the Modocs that he was a friend to them; that God had sent us to them as messengers of peace.

The Modoc chief leaned forward and touched me on the arm. He once more declared that no peace could be made until the soldiers were taken away, as he rose and turned his back to General Canby. I believe that to this time Captain Jack had hoped it would be granted, and thereby bloodshed avoided. Schonchin sprang to the seat vacated by Captain Jack, and in loud, angry tones repeated the ultimatum. Winemah had thrown herself on the ground in front of Dr. Thomas and was interpreting Schonchin's speech at the moment when Captain Jack gave the signal, "Kau-Tux" (all ready). Almost at the same instant the Modoc yell broke from the rocks, and two braves sprang forward, bearing rifles.

Captain Jack drew a pistol and shot General Canby, the ball striking him in the face. "Ellen's man" joined him in the attack. General Canby did not fall until he had run 40 or 50 yards, when a shot struck him in the back of the head. His assailants came upon him, and, shooting him again, stripped him of his clothing, turned his face downward, and then left him.

Dr. Thomas received a shot from the hand of Boston Charley. He sank slowly, catching by his right hand. He was permitted to get upon his feet and stagger away a few rods, his murderers taunting him with not believing Winemah, jeering him, and ridiculing his religion and the failure of his prayers. Finally, pushing him down, they shot him through the head, stripped him, and turning him also upon his face, gathered up the dripping garments, and joined the other murderers at the council fire.

Dr. Dyar, having his horse for a cover when the attack was begun, made good his escape, although pursued by Hooker Jim. Mr. Riddell escaped by running, covered by Scar-Face Charley's rifle, who declared that it "was unworthy of a Modoc to kill unarmed men." Simultaneously with the attack on General Canby and Dr. Thomas, Schonchin sprang to his feet, and, drawing both a knife and a pistol, shouted "Chock-e-la" (blood), pointed at my head and discharged the pistol, the bullet tearing through the collar of my coat and vest. Before the next shot Winemah was between him and his victim, grasping his arms and pleading for my life. I walked backwards 40 yards while my heroic defender struggled to save me. Shacknasty Jim joined Schonchin in the attack, while Winemah, running from one to the other, continued to turn aside the pistols aimed at me until I went down. After I fell I raised my head above the rock over which I had fallen, and at the instant Schonchin aimed at me so correctly that this shot struck me between the eyes and glanced out over the left eye, which was blinded. A shot from Shacknasty Jim struck me on the right side of the head over the ear, which stunned me and I became unconscious. From Winemah and Scar-Face Charley I learned that Shacknasty Jim robbed me of my clothing in part, notwithstanding Winemah's expostulations; that while Jim was unbuttoning my shirt collar one of the other murderers came up with a gun and pointing at my head was just in the act of touching the trigger when Jim pushed the gun up and said, "Don't shoot any more. Him dead; he not get up; I hit him high up; save the powder." Having taken my coat, pants, and vest, they left me, saying to Winemah, "Take care of your white brother." Winemah wiped the blood from my face and straightened my limbs, believing me dead.

Boston Charley drew a knife, which, however, was a dull one, and began the difficult task of scalping a bald-headed man, and what added to the difficulty was the strong arms of Winemah, grasping him and hurling him, as though he was but a boy, to the rocks beside me. But Boston had Modoc persistency, and springing to his feet, with his pistol he struck her a blow upon the head, at the same time threatening to shoot her should she again interfere, and resumed the delicate task. Winemah, dazed by the blow for a moment, in half bewilderment saw the dull blade cutting down to the bone, while Boston, enraged and impatient, set one foot upon the back of my neck, and muttering curses in broken English, succeeded in cutting a circle almost around the upper part of my head, and had already so far lifted the scalp that he had in-

serted the fingers of his left hand beneath it, preparatory to tearing it off, when Winemah, recovering her presence of mind, resorted to strategy, shouting exultingly, "Kap-ko Bostee-na-soldier" (soldiers coming), and Boston left his work unfinished.

From the foregoing statement of facts, it is evident that had the Modoc peace commissioners listened to the persistent persuasions of Winemah Riddell, reiterated by her over and over again, the families and friends of the lamented Dr. Thomas and General Canby would not have been called upon to mourn their atrocious death; and in view of the fact that Winemah Riddell saved the life of such a useful and noble man as Col. A. B. Meacham, and proved herself to be the friend of the white man at the risk of her own life, your committee feel constrained to report these facts for the consideration of the House.